

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the attached was transmitted via facsimile transmission to TC1600, via facsimile number (703) 872-9306, on this 22nd day of August, 2002.

Steve Callistein
Steve Callistein

8/22/02
Date

Case No. 1330

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Mark David Hoffbeck	Art Unit:	1638
Serial No.:	09/759,762	Examiner:	David T. Fox
Filed:	January 12, 2001	For:	INBRED MAIZE LINE PH5W4

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER
37 CFR § 1.111 TO OFFICE ACTION MAILED MARCH 25, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the office action mailed March 25, 2002, Applicant respectfully requests that the following amendments and remarks be considered and made of record.

It is submitted that the amendments to the claims place them in condition for allowance or in better form for appeal and present no new matter.

IN THE SPECIFICATION

At page 49 of the original application, lines 2 - 21, following "Deposits", please delete the entire paragraph and insert the following:

Applicant has made a deposit of at least 2500 seeds of Inbred Maize Line PH5W4 with the American Type Culture Collection (ATCC), Manassas, VA 20110 USA, ATCC Deposit No. PTA-4434. The seeds deposited with the ATCC on June 4, 2002 were taken from the deposit maintained by Pioneer Hi-Bred International, Inc., 800 Capital Square, 400 Locust Street, Des Moines, Iowa 50309-2340 since prior to the